

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPLICATION NO.1118 OF 2006
IN
CRIMINAL APPEAL NO.1025 OF 2006**

Soyeb Abdul Kayum Shaikh ...Applicant

Versus

The State of Maharashtra ...Respondent

Shri P.B. Kakade for the Applicant.

Shri U.V.Nikam, A.P.P for the Respondent.

CORAM : A. S. OKA, J.

DATE : DECEMBER 19, 2006.

P.C.:

1. This Application is filed by the accused No.2 who has been convicted for the offences punishable under section 489-B read with section 34 and section 326 read with section 34 of the Indian Penal Code. The substantive sentences are ordered to run concurrently. The maximum substantive sentence is for a period of three years. The Applicant is in custody from 12th May, 2005. Thus, he has undergone nearly half of the substantive sentence. The Appeal is not likely to be heard before the remaining period of sentence expires. Hence, the Applicant is entitled to be enlarged on bail subject to stringent conditions.

2. Hence, I pass the following order:

- (i) The Applicant shall be enlarged on bail in the sum of Rs.15,000/- with one or two local sureties in the like amount.
- (ii) Bail is granted subject to condition that the Applicant will report to Dharavi Police Station, Mumbai on first Saturday of every calendar month till the disposal of the Appeal.

JUDGE